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SIPDIS

NEA/MAG (HARRIS); DRL (JOHNSTONE/KLARMAN)
LONDON AND PARIS FOR NEA WATCHER

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TAGS: [PHUM](#) [PGOV](#) [PREL](#) [KDEM](#) [KPAO](#) [TS](#)
SUBJECT: PRESS FREEDOM CASE DRAGS ON, BUT HUNGER STRIKE ENDS

REF: A. TUNIS 444
[B](#). TUNIS 408
[C](#). TUNIS 407

Classified By: CDA Marc Desjardins for reasons 1.4 (b) and (d)

Summary

[1](#). (C) At a May 10 hearing, libel cases filed by five Tunisian companies against Rachid Khachana and Mongi Ellouz, editor-in-chief and staff-writer for the opposition Arabic-weekly al-Mowqif respectively, were postponed for May [31](#). Tunisian civil society has deemed the cases politically motivated, characterizing them as retaliation for al-Mowqif's publishing articles critical of the government. Following the hearing, Khachana and Ellouz announced that they were ending the hunger strike that they began on April 26 to protest restrictions on freedom of the press. End Summary.

Their Day In Court

[2](#). (C) Beginning in early April, the opposition Progressive Democratic Party's (PDP) Arabic-weekly al-Mowqif began to experience severe distribution problems (Ref B). As the paper relies on the previous week's revenue to publish the subsequent week's edition, this imposed a significant financial burden on the newspaper, putting it on the verge of bankruptcy. Almost simultaneously, al-Mowqif was hit with government fines totaling 15,000 TD (\$12,500 USD), while its editors were sued by five vegetable oil manufacturers for libel. The PDP and other Tunisian civil society activists believe the cases are politically motivated; al-Mowqif is one of the few Tunisian publications that routinely publish articles critical of the government.

[3](#). (C) At a preliminary hearing on May 10, the five defamation cases against Rachid Khachana and Nejib Chebbi, the newspaper's editor-in-chief and director, were scheduled to be heard on May 31. Over 30 attorneys have volunteered to work on al-Mowqif's case pro-bono. Many members of the PDP were present, though some were reportedly not allowed to enter the courthouse. PolOff and a Finnish diplomat also attended. PDP Secretary General Maya Jribi told PolOff that she expects the cases to drag into 2009, which the PDP does not necessarily oppose. The PDP plans to use the trial as a case-study on restrictions on freedom of expression, and will turn it into a campaign issue during the 2009 presidential and legislative elections.

Hunger Strike Ends

14. (C) The same day, Khachana and Ellouz ended their hunger strike protesting restrictions on freedom of expression they began April 26 to coincide with the visit of French President Nicolas Sarkozy. The PDP also credits the hunger strike with drawing attention to freedom of expression domestically, leading to recent pieces on press freedom appearing in the mainstream Tunisian media. During the hunger strike's second week, the ostensibly independent distribution agency SOTUPRESSE said that contrary to previous reports, sales of the two latest editions of al-Mowqif had returned to their previous levels. On May 9, a delegation of prominent Tunisian civil society activists visited the hunger strikers and made the case that they had achieved their goals and should end the strike. At a press conference, Khachana and Ellouz said they had achieved their aim of calling global attention to press freedom in Tunisia.

15. (C) During PolOff's May 9 visit, Khachana and Ellouz thanked the USG for its continued support of freedom of expression in Tunisia. They also mentioned that they were grateful for President Bush's statement on World Press Freedom Day, which mentioned the harassment of journalists in Tunisia. PolOff emphasized that supporting freedom of expression in Tunisia is a top priority for the USG, but the Embassy also had concerns about the proliferation of hunger strikes (five separate ones since September) and questioned their effectiveness. The two responded that they had carefully considered all their options before proceeding. They initially tried to protest al-Mowqif's distribution problems through press conferences and by having PDP members sell the paper themselves, but several members were harassed by security forces, and the copies were confiscated.

Comment

16. (C) While there has been some movement towards greater freedom of the press in Tunisia (Ref C), certain advocates of increased freedom of expression and freedom of association, such as the PDP, are the constant targets of harassment and abuse. The timing and number of al-Mowqif's troubles suggest that the PDP is correct in deeming their problems political. The Embassy has pursued both public and private channels to encourage the GOT to find a resolution. The World Press Freedom Day statement also sent a strong signal of USG support for freedom of expression. These actions may have helped ameliorate al-Mowqif's situation, but until the government fines are resolved, al-Mowqif is not out of the woods. Nor, of course are Khachana and Chebbi, whose personal finances are at stake. End Comment.
DESJARDINS